

SPECIAL PUBLIC NOTICE

EXTENSION OF

THE JUNE 5, 2007 JOINT US ENVIRONMENTAL PROTECTION AGENCY AND ARMY CORPS OF ENGINEERS GUIDANCE REGARDING CLEAN WATER ACT JURISDICTION AFTER *RAPANOS*

AND

COMMENT PERIOD ON THE JOINT GUIDANCE

SUMMARY: On June 5, 2007, the U.S. Environmental Protection Agency and U.S. Army Corps of Engineers (Agencies) issued joint agency guidance regarding Clean Water Act (CWA) jurisdiction following the U.S. Supreme Court's decision in the consolidated cases Rapanos v. United States and Carabell v. United States ("Rapanos"). This guidance is intended to ensure that jurisdictional determinations, administrative enforcement actions, and other relevant agency actions being conducted under the CWA are consistent with the Rapanos decision and provide effective protection for public health and the environment. This guidance is at:

http://www.usace.army.mil/cw/cecwo/reg/cwa_guide/rapanos_guide_memo.pdf

The Agencies initially provided a six-month period for the coordination procedures between the agencies (see MEMORANDUM FOR DIRECTOR OF CIVIL WORKS AND US EPA REGIONAL ADMINISTRATORS at

http://www.usace.army.mil/cw/cecwo/reg/cwa_guide/rapanos_moa_06-05-07.pdf.

Additionally, the Agencies initiated a 6 month public comment period to solicit input on early experience with implementing the guidance. All documents related to this guidance are posted online at:

http://www.usace.army.mil/cw/cecwo/reg/cwa_guide/cwa_guide.htm

ANNOUNCEMENT: The Agencies have agreed to extend both the comment period on the guidance documents and the coordination process for 45 days beyond the original expiration date of December 5, 2007, until the first business day after January 19, 2008.

The public is invited to submit comments by one of the following methods:

- www.regulations.gov: Follow the on-line instructions for submitting comments.
- Email: OW-Docket@epa.gov. Include the docket number, EPA-HQ-OW-2007-0282 in the subject line of the message.
- Mail: Water Docket, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW, Washington, DC 20460.
- Hand Delivery: 1301 Constitution Ave, NW, Room 3334, Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

ENVIRONMENTAL PROTECTION AGENCY**[EPA-HQ-OW-2007-0282; FRL-8499-8]****EPA and Army Corps of Engineers Guidance Regarding Clean Water Act Jurisdiction After Rapanos****AGENCIES:** U.S. Army Corps of Engineers, DoD; and U.S. Environmental Protection Agency (EPA).**ACTION:** Notice; extension of comment period.

SUMMARY: On June 5, 2007, the U.S. Environmental Protection Agency and U.S. Army Corps of Engineers announced agency guidance regarding Clean Water Act (CWA) jurisdiction following the U.S. Supreme Court's decision in the consolidated cases *Rapanos v. United States* and *Carabell v. United States* ("Rapanos"). The agencies issued this guidance to ensure that jurisdictional determinations, administrative enforcement actions, and other relevant agency actions being conducted under CWA section 404 are consistent with the *Rapanos* decision and provide effective protection for public health and the environment. A six-month public comment period to solicit input on early experience with implementing the guidance began on June 8, 2007. The agencies are extending the public comment period by 45 days.

DATES: Public comments are now due by January 21, 2008.**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OW-2007-0282, by one of the following methods:

- *http://www.regulations.gov*: Follow the on-line instructions for submitting comments.

- *E-mail: OW-Docket@epa.gov*. Include the docket number, EPA-HQ-OW-2007-0282 in the subject line of the message.

- *Mail:* Water Docket, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

- *Hand Delivery:* 1301 Constitution Ave., NW., Room 3334, Washington, DC 20460. Such deliveries are only accepted during the Docket's normal hours of operations, and special arrangements should be made for deliveries of boxed information.

- *Instructions:* Instructions for submitting comments are provided in the notice published on June 8, 2007 (72 FR 31824). Consideration will be given to all comments received by January 21, 2008.

FOR FURTHER INFORMATION CONTACT: Russell Kaiser, Regulatory Community

of Practice (CECW-CO), U.S. Army Corps of Engineers, Headquarters, 441 G Street, NW., Washington, DC 20314; telephone number: (202) 761-7763; fax number: (202) 761-5096; e-mail address: *Rapanos.Comments@usace.army.mil*. Donna M. Downing, Office of Water (4502T), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 566-1783; e-mail address: *CWAwaters@epa.gov*.

SUPPLEMENTARY INFORMATION: In the June 8, 2007, issue of the **Federal Register** (72 FR 31824), the U.S. Environmental Protection Agency and U.S. Army Corps of Engineers announced the issuance of agency guidance, which took effect on that date, regarding Clean Water Act (CWA) jurisdiction following the U.S. Supreme Court's decision in the consolidated cases *Rapanos v. Carabell v. United States* (126 S. Ct. 2208 (2006)) ("Rapanos").

The agencies invited public comment and case studies during the first six months implementing the guidance, only early experience with implementing the guidance. Several entities have requested an extension of the comment period for the guidance. The EPA and the Corps find that a 45-day extension of the comment period is warranted. Therefore, the comment period is extended until January 21, 2008.

The agencies, within nine months after the *Rapanos* guidance was issued, intend to either reissue, revise, or suspend the guidance after carefully considering the public comments received and field experience with implementing the guidance. A copy of the guidance can be found on EPA's Web site at *http://www.epa.gov/owow/wetlands/guidance/CWAwaters.html* and on the Corps' Web site at *http://www.usace.army.mil/cw/cecw/reg/*.

Dated: November 21, 2007.

Benjamin H. Grumbles,

Assistant Administrator for Water, U.S. Environmental Protection Agency.

[FR Doc. 07-5867 Filed 11-27-07; 8:45 am]

BILLING CODE 6560-50-M**EXPORT-IMPORT BANK OF THE UNITED STATES****Notice of Open Special Meeting of the Advisory Committee of the Export-Import Bank of the United States (Ex-IM Bank): Correction****AGENCY:** Export-Import Bank of the United States.**ACTION:** Notice; correction.

SUMMARY: The Advisory committee was established by Public Law 98-181, November 30, 1983, to advise the Export-Import Bank on its programs and to provide comments for inclusion in the reports of the Export-Import Bank of the United States to Congress.

FOR FURTHER INFORMATION CONTACT: Susan Houser, 202-565-3232.**Correction**

In the **Federal Register** of November 19, 2007, in FR Doc. 07-5717, on page 65021, in the middle column, in line 21, correct the "Time and Place" caption to read:

Time and Place: Thursday, December 6, 2007, from 9:30 a.m. to 12 p.m. The meeting will be held at Ex-Im Bank in the Main Conference Room 1143, 811 Vermont Avenue, NW., Washington, DC 20571.

Dated: November 21, 2007.

Kamil P. Cook,*Deputy General Counsel.*

[FR Doc. 07-5854 Filed 11-27-07; 8:45 am]

BILLING CODE 6690-01-M**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Office of the Secretary****Federal Financial Participation in State Assistance Expenditures; Federal Matching Shares for Medicaid, the State Children's Health Insurance Program, and Aid to Needy Aged, Blind, or Disabled Persons for October 1, 2008 Through September 30, 2009****AGENCY:** Office the Secretary, DHHS.**ACTION:** Notice.

SUMMARY: The Federal Medical Assistance Percentages and Enhanced Federal Medical Assistance Percentages for Fiscal Year 2009 have been calculated pursuant to the Social Security Act (the Act). These percentages will be effective from October 1, 2008 through September 30, 2009. This notice announces the calculated "Federal Medical Assistance Percentages" and "Enhanced Federal Medical Assistance Percentages" that The U.S. Department of Health and Human Services (HHS) will use in determining the amount of Federal matching for State medical assistance (Medicaid) and State Children's Health Insurance Program (SCHIP) expenditures, and Temporary Assistance for needy Families (TANF) Contingency Funds, the federal share of Child Support Enforcement collections, Child Care Mandatory and Matching Funds of the Child Care and